

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:** **Thursday, March 10, 2016, @ 6:30 p.m.**  
**Jerrily R. Kress Memorial Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220**  
**Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 13-14B (JAIR LYNCH Development Partners – Modification to Consolidated PUD @ Square 3128, Lot 800 – McMillan Reservoir Slow Sand Filtration Site – Parcel 4)**

**THIS CASE IS OF INTEREST TO ANC 5E, 5A, and 1B**

On October 13, 2015, the Office of Zoning received an application from JAIR LYNCH Development Partners, on behalf of Vision McMillan Partners and the District of Columbia through the Office of the Deputy Mayor for Planning and Economic Development, the owner of the property described below (collectively, the “Applicant”), for review and approval of a modification to a consolidated planned unit development (“PUD”) for Parcel 4 of the McMillan Reservoir Slow Sand Filtration Site redevelopment project. The Office of Planning provided its report on December 4, 2015, and the case was set down for hearing on December 14, 2015. The Applicant provided its prehearing statement on December 30, 2015.

The property that is the subject of this application is known as Parcel 4 of the planned redevelopment of the former McMillan Reservoir Slow Sand Filtration Site located at 2501 First Street, N.W., Washington, D.C. (the “PUD Site”). The PUD Site consists of approximately 24.69 acres and is bounded by North Capitol Street on the east, Michigan Avenue, N.W. on the north, First Street, N.W. on the west, and Channing Street, N.W. on the south. Parcel 4 consists of approximately 95,984 square feet of land area.

Pursuant to Z.C. Order No. 13-14 (the “Order”), which became final and effective on April 17, 2015, the Commission approved a mixed-use residential/grocery building on Parcel 4 (the “Parcel 4 Building”). Since the Commission’s approval, the Applicant has identified a grocery store tenant, Harris Teeter. The modifications include refinements to the Parcel 4 Building design and changes to approved loading hours to accommodate programmatic requirements specific to Harris Teeter that could not have been anticipated during the initial review. In addition, the Applicant will request a change to the Parcel 4 Building height, as stated in Z.C. Order No. 13-14 (Condition B-2), from 77’-0” to 78’-8”.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations 11 DCMR, § 3022.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

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A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>**. This form may also be obtained from the Office of Zoning at the address stated below.

**If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND  
MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF  
COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN,  
SECRETARY TO THE ZONING COMMISSION.**